

United States Court of Appeals
For the Eighth Circuit

No. 12-3036

Loren W. May, Sr.

Plaintiff - Appellant

v.

United States of America

Defendant

T. C. Outlaw, Warden, FCI - Forrest City; Ronald Smith, Safety Manager,
FCI-Forrest City

Defendants - Appellees

Geraldo Maldonado, Jr.; Harrell Watts; Does

Defendants

Appeal from United States District Court
for the Eastern District of Arkansas - Helena

Submitted: April 2, 2013

Filed: April 5, 2013

[Unpublished]

Before BYE, ARNOLD, and SHEPHERD, Circuit Judges.

PER CURIAM.

Loren May, an inmate of the Federal Correctional Institution in Forrest City, Arkansas, appeals the district court's¹ grant of summary judgment to defendants Warden T.C. Outlaw and Safety Manager Ronald Smith. May asserted that they violated his Eighth Amendment rights by knowingly subjecting him to an environment containing "black mold," which caused him a number of illnesses. Because undisputed evidence shows that Outlaw and Smith took meaningful, affirmative steps to reduce the amount of mold present at the prison facility, we conclude that neither defendant was deliberately indifferent to May's medical needs or health risks. See Nelson v. Corr. Med. Servs., 583 F.3d 522, 528-29 (8th Cir. 2009) (prison official violates Eighth Amendment if official knows of and disregards serious medical need or substantial risk to inmate's health or safety).

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

¹The Honorable Jerome T. Kearney, United States Magistrate Judge for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).